



Entered on Docket
December 31, 2009

A handwritten signature in black ink, appearing to read "Riegle".

Hon. Linda B. Riegle
United States Bankruptcy Judge

WILDE & ASSOCIATES
Gregory L. Wilde, Esq.
Nevada Bar No. 004417
208 South Jones Boulevard
Las Vegas, Nevada 89107
Telephone: 702 258-8200
bk@wildelaw.com
Fax: 702 258-8787

and

MARK S. BOSCO, ESQ.
Arizona Bar No. 010167
TIFFANY & BOSCO, P.A.
2525 East Camelback Road, Suite 300
Phoenix, Arizona 85016
Telephone: (602) 255-6000

US Bank National Association, as successor Trustee to Bank of America, National Association,
(successor by merger to LaSalle Bank National Association) as Trustee for Morgan Stanley Loan Trust
2006-12XS
09-77701

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In Re:

John C. Wilbur and Carol E. Wibur

Debtors.

BK-S-09-28773-lbr

Date: 12/08/09
Time: 1:00 pm

Chapter 7

1 **ORDER VACATING AUTOMATIC STAY**

2 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the
3 above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to
4 Secured Creditor US Bank National Association, as successor Trustee to Bank of America, National
5 Association, (successor by merger to LaSalle Bank National Association) as Trustee for Morgan
6 Stanley Loan Trust 2006-12XS, its assignees and/or successors in interest, of the subject property,
7 generally described as 2706 Positive Ct., Las Vegas, NV 89031.

8
9 **IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall**
10 **give Debtors at least five business days' notice of the time, place and date of sale.**

11 DATED this _____ day of _____ 2009

12 Submitted by:

13 **WILDE & ASSOCIATES**

14 By: Gregory L. Wilde, Esq.
15 Gregory L. Wilde, Esq.
16 Attorney for Secured Creditor
17 208 South Jones Boulevard
18 Las Vegas, Nevada 89107

19 APPROVED / DISAPPROVED

20 By: _____
21 Anthony Deluca
22 5830 W. Flamingo Rd., #233
23 Las Vegas, NV 89103
24 Attorney for Debtor(s)

25 APPROVED / DISAPPROVED

26 By: _____
27 Yvette Weinstein
28 6450 Spring Mtn. Rd. #14
29 Las Vegas, NV 89146
30 Chapter 7 Trustee

1 ALTERNATIVE METHOD RE: LOCAL RULE 9021:

2 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

3 _____ The court waived the requirements of LR 9021.

4 _____ No parties appeared or filed written objections, and there is no trustee appointed in the case.

5 _____ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any
6 unrepresented parties who appeared at the hearing, and any trustee appointed in this case,
and each has approved or disapproved the order, or failed to respond, as indicated below
(list each party and whether the party has approved, disapproved, or failed to respond to the
document):

7 (List Parties)

8 Debtor's counsel:

9 _____ approved the form of this order _____ disapproved the form of this order

10 _____ waived the right to review the order and/or failed to respond to the document

11 _____ appeared at the hearing, waived the right to review the order

12 _____ matter unopposed, did not appear at the hearing, waived the right to review the order

13 Trustee:

14 _____ approved the form of this order _____ disapproved the form of this order

15 _____ waived the right to review the order and/or failed to respond to the document

16 Other Party: _____

17 _____ approved the form of this order _____ disapproved the form of this order

18 _____ waived the right to review the order and/or _____ failed to respond to the document

19 Breach Order:

20 _____ This is an Order Vacating the Stay after the Failure to cure a Declaration of Breach. Copies of
21 this proposed order were transmitted to Debtor's counsel and appointed trustee to which
22 they have not replied

24 Submitted by:

25 /s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

26 Attorney for Secured Creditor